

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JACK FERM,

Plaintiff,

vs.

COLLEEN MCCARTY, et al.,

Defendants.

Case No. 2:12-cv-00782-GMN-PAL

**ORDER**

(Mtn to Strike - Dkt. #51)

This matter is before the court on Defendants' Colleen McCarty's, KLAS, LLC's, and Steve Kanigher's Motion to Strike Plaintiff's Supplement to His Opposition to Defendants' Motion to Dismiss (Dkt. #51); Plaintiff Jack Ferm's Response (Dkt. #66); and Defendants' Reply (Dkt. #85).

Defendants seek an order striking Plaintiff's Supplement (Dkt. #50) to his Opposition (Dkt. #18) to Defendants' Motion to Dismiss (Dkt. #10) because supplemental briefs are not permitted by the Local Rules or by the Federal Rules of Civil Procedure. On January 28, 2013, the undersigned entered an Order denying Defendant's Motion for Judicial Notice (Dkt. #11) and a Report of Findings and Recommendation ("R&R") recommending that Defendants' Motion to Dismiss be granted and Plaintiff's First Amended Complaint (Dkt. #5) be dismissed with leave to amend. *See* Order and R&R (Dkt. #109). The court found that Plaintiff had not established the court's subject matter jurisdiction or complied with Rule 8 of the Federal Rules of Civil Procedure. That Order and R&R addressed the impropriety of Plaintiff's Supplement. *See* Order and R&R at 1 & n. 1. A motion, response, and reply are allowed. Parties are not allowed to keep filing papers in a never-ending quest to get in the last word.

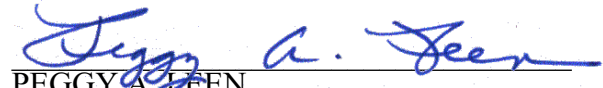
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1 For the reasons set forth more fully in the Order and R&R,

2 **IT IS ORDERED** that Defendants' Motion to Strike (Dkt. #51) is GRANTED, and Plaintiff's  
3 Supplement (Dkt. #50) is STRICKEN.

4 Dated this 29th day of January, 2013.

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7 PEGGY A. LEEN  
8 UNITED STATES MAGISTRATE JUDGE  
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